

Notice of Allowability

Application No.

09/930,384

Examiner

Nadia Khoshnoodi

Applicant(s)

KING ET AL.

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/20/2007.
2. ☒ The allowed claim(s) is/are 1-11, 13-15, 17-23, 25, 27-35.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Hough (on behalf of Mr. Noel Kivlin) on 11/21/2007.

Please amend the application as follows:

Claim 21 should be amended to the claim language as shown below.

These amended claims will **replace** claim 21 as filed on 9/20/2007:

In claim 21, the amendment filed on 9/20/2007 **has been changed to --A** computer-readable storage medium comprising:

a control program for a processing unit connectable to a data communication network, the processing unit comprising a device reader for a portable storage device that includes storage and an access controller, the storage holding a network identity for the processing unit and at least one encryption key, wherein the network identity comprises a MAC address, and the access controller controlling access to the storage by implementing key-key encryption, wherein key-key encryption comprises asymmetric key encryption based on a public key and a corresponding private key;

the control program being executable to implement:

accessing a secure portion of the storage of the portable device by
supplying a key-encrypted request to the access controller; and

in response to receipt of an access key from the access controller, sending an encrypted command to access the content of the storage of the portable storage device.--

Allowable Subject Matter

Claims 1-11, 13-15, 17-23, 25, and 27-35 are allowed.

The following is an Examiner's statement of reasons for allowance: The above mentioned claims are allowable over the Cited Prior Arts (CPA) of record because the CPA of record fails to teach or render obvious the claimed limitations in combination with the specific added limitations as recited in independent claims 1, 13, 21, 29, 30, & 31 and subsequent dependent claims.

The CPA teaches that the MAC address is stored in a computer terminal. The CPA, taken singly or in combination, does not teach or suggest a portable storage device storing a network identity, where the network identity is a MAC address which is ultimately used in the claimed access control environment.

Furthermore, there is no proper motivation for combining a computer terminal which is known to have a MAC address to incorporate a portable storage device to also maintain a MAC address. As such, the Examiner would be relying on impermissible hindsight, and not upon a suggestion from a combination of the references applied to support teachings/suggestions for all of the claimed limitations.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

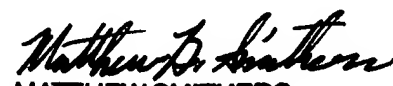
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadia Khoshnoodi whose telephone number is (571) 272-3825. The examiner can normally be reached on M-F: 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Nadia Khoshnoodi
Examiner
Art Unit 2137
11/21/2007

NK


MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137